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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,960	06/25/2003	Joe P. Crookham	P04049US2	3716
22885	7590	09/17/2008		
MCKEE, VOORHEES & SEASE, P.L.C.			EXAMINER	
801 GRAND AVENUE			DOAN, KIET M	
SUITE 3200				
DES MOINES, IA 50309-2721			ART UNIT	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/603,960

Applicant(s)

CROOKHAM ET AL.

Examiner

KIET DOAN

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4, 5, 8, 10, 13-25, 45, 46 and 48-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 5, 8, 10, 13-25, 45-46 and 48-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 06/06/2008 have been fully considered but they are not persuasive.

In response to Applicant's argument that the control unit 16 is a on-site controller and the central control does not hold a unified database.

Examiner respectfully disagrees and maintain that Alt reference teach "an off-site central controller including database of events" (Col.11, lines 19-28, Fig.2 Illustrate the lightning control computer 21 which locate off-site that transmit programming (scheduling/events) to the control unit 16, that's is, Alt reference broadly interpreted and reasonable interpretation on "an off-site central controller including database of events".

In response to Applicant's argument in claim 1 and 45 that describe a database at central control that includes information for each lighting system related to events and conditions.

Examiner respectfully disagrees and maintain Alt teaches the limitation of claim 1 and 45 because the claim language allow the examiner have an option of selecting the rejection base on the word "or" as claim indicated "an off-site central controller including a database of events or condition related to each lighting system...". Therefore, examiner selecting the limitation of "an off-site central controller including a database of events" using the broadest reasonable interpretation and it is proper.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., does not contemplate a data base at a centralized location that would instruct widely dispersed lighting systems) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4, 5, 10, 13-17, 19-25, 45, 46, 49-52, 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alt et al. (US 5,898,384) in view of Gordin et al. (US 4,712,167).

Consider **claims 1 and (45** a system for remote control). Alt teaches an apparatus for controlling a-wide-area lighting at a plurality of different sites to be illuminated comprising:

a) a plurality of wide area lighting systems each on-site at a different site, each on-site wide area lighting system comprising (Abstract, Col. 5, Lines 32-35 teach

controlling system for remotely controlling plurality of electrical device, Col. 7, Lines 45-60 further teach the plurality of different site such as sign boards lighting, parking lot lighting located thousands mile apart which teach in Col. 3, Lines 13-20).

b) a central control system comprising:

i. an off-site central controller including a database of events (Col.11, Lines 20-50, Col. 13, Lines 25-60, Fig.2, Illustrate control computer 21 which read on central control system wherein located off-site and contain program/database to control the lighting of sign board 10) or conditions related to each lighting system and a compartment adapted to issue data related to a function of the corresponding lighting system and an event or condition for the lighting system or any array of the lighting system;

ii. an on-site remote device controller for each lighting system, the remote controller operably connected to each set of light source and ballast circuits of each wide-area system (Col.10, Lines 5-60, Fig.1, Illustrate control unit 16 which read on "on-site remote device controller" wherein connected to each light source, further described in Fig.2) ;

iii. a communication link to communicate the data from the central controller to the remote controller of the corresponding lighting system (Col.11, Lines 20-64, Fig.1 and Fig.2 show the lighting control computer as read on central controller that communication from transceiver 20 to remote control unit 16 wherein corresponding to lighting system). **Alt fails to explicitly teach**

- i. a plurality of arrays of lighting fixtures;
- ii. each array comprising a set of high intensity light sources and ballast circuits adapted to be switched to connect or disconnect to a relatively high voltage power source.

In an analogous art, Gordin teaches "Remote control, moveable lighting system". Further, Gordin teaches

- i. a plurality of arrays of lighting fixtures (Col. 8, Lines 47-50, Fig.1 and Fig.9 illustrate lighting array frame wherein contain plurality of luminaries unit light) ;
- ii. each array comprising a set of high intensity light sources and ballast circuits adapted to be switched to connect or disconnect to a relatively high voltage power source (Col. 4, Lines 40-57 teach the power source on board generator 16 with provide electric power to luminaries unit light through ballast 20 wherein contain power switching circuit 40 for turning or switching on and off which read on switched to connect or disconnect to a relatively high voltage power).

Therefore, it would have been obvious at the time that the invention was made to modify Alt with Gordin's system, such that controlling wide area lighting at plurality different site to be illuminate by using central control system from off site to provide means for the convenient and saving cost by controlling lighting in different location without sending out technician to adjust or setup timing, scheduling.

Consider **claims 2, 16, 46, 54**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches wherein the database comprises a schedule of events (Col.10, Lines 5-30 control unit received programming as read on schedule of events).

Consider **claim 4**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches wherein the network device is computers or network of computers (Fig.2, Illustrate No.21 and described).

Consider **claim 5**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches wherein the remote device comprises a digital controller (Col.13, Lines 46-65).

Consider **claims 8, 19, 48, 53**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Gordin teaches wherein the wide-area lighting device comprises sports lighting or security lighting (Col. 2, Lines 18-25, Fig.1 teach and illustrate mobile variable lighting device 10 which obviously can be use for sports light or security light).

Consider **claims 10, 25, 49**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches wherein the communications link comprises a wide area network (Col. 3, Lines 13-20).

Consider **claims 13, 17, 18, 20, 50**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches wherein the remote device includes a cellular receiver (Col. 12, Lines 38-47, Fig.2, No.20 and No.22 Illustrate and described).

Consider **claim 14**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches wherein said data comprises instructions (Col. 10, Lines 5-8 teach programming as read on instructions).

Consider **claim 15**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches wherein said instructions include one or more of the set comprising turn on, turn off (Col.10, Lines 5-20).

Consider **claims 21, 22, 23 and 24**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches comprising a component to revise said database (Col. 10, Lines 5-8, Col. 11, Lines 10-25).

Consider **claim 51**. The combination of Alt and Gordin teach the system of claim 45. Further, Alt teaches wherein said data relates to instructions regarding the operation of an electrical load (Col. 6, Lines 30-41).

Consider **claim 52**. The combination of Alt and Gordin teach the system of claim 45. Further, Alt teaches wherein-the customer device is related to one or more of the set comprising cellular phone, internet connected computer, fax machine, and telephone (Col.12, Lines 38-47, Fig.2, No. 22).

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIET DOAN whose telephone number is (571)272-7863. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/
Supervisory Patent Examiner, Art Unit 2617

/Kiet Doan/
Examiner, Art Unit 2617